

490.809 Removal of directors by judicial proceeding.

1. The district court of the county where a corporation's principal office or, if none in this state, its registered office is located may remove a director from office or may order other relief, including barring the director from reelection for a period prescribed by the court, in a proceeding commenced by or in the right of the corporation if the court finds that all of the following apply:

a. The director engaged in fraudulent conduct with respect to the corporation or its shareholders, grossly abused the position of director, or intentionally inflicted harm on the corporation.

b. Considering the director's course of conduct and the inadequacy of other available remedies, removal or such other relief would be in the best interest of the corporation.

2. A shareholder proceeding on behalf of the corporation under [subsection 1](#) shall comply with all of the requirements of [subchapter VII, part 4](#), except [section 490.741, subsection 1](#).

[89 Acts, ch 288, §80](#); [2002 Acts, ch 1154, §33, 125](#); [2019 Acts, ch 24, §104](#); [2021 Acts, ch 165, §95, 230](#)

2021 amendment effective January 1, 2022; 2021 Acts, ch 165, §230
Section stricken and rewritten